

Thomas Amodio, Bar No. 8511142
REEVES AMODIO LLC
500 L Street, Suite 300
Anchorage, AK 99501
Telephone: (907) 222-7100
Facsimile: (907) 222-7199
tom@reevesamodio.com

Roger W. Yoerges (*pro hac vice*)
Patricia B. Palacios (*pro hac vice*)
Mark F. Murphy (*pro hac vice*)
STEPTOE & JOHNSON LLP
1330 Connecticut Avenue, NW
Washington, DC 20036-1795
Telephone: (202) 429-3000
Facsimile: (202) 429-3902
ryoerges@steptoe.com
ppalacios@steptoe.com
mmurphy@steptoe.com

Anthony A. Onorato (*pro hac vice*)
FISHER BROYLES LLP
445 Park Avenue, Ninth Floor
New York, NY 10022
Telephone: (202) 459-3599
Facsimile: (516) 706-9877
tony.onorato@fisherbroyles.com
Attorneys for Plaintiff Pebble Limited Partnership

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

PEBBLE LIMITED PARTNERSHIP,

Plaintiff,

v.

ENVIRONMENTAL PROTECTION
AGENCY, *et al.*,

Defendants.

**NOTICE IN ADVANCE OF STATUS
CONFERENCE**

**CIVIL ACTION NO.
3:14-cv-00171-HRH**

_____/

In advance of the status conference set for October 28, 2016, the parties hereby provide Notice that they will seek mediation in this case pursuant to Local Rule 16.2. As this Court is aware, the parties have been conferring “to determine whether they can resolve various outstanding issues, including potentially limiting the issues needing resolution by this Court and streamlining what remains in discovery.” Dkt. 266 at 1. While the parties have engaged in several productive discussions, certain key disagreements remain. The parties are discussing the selection of a mediator and currently anticipate that mediation will take place in Washington, D.C.

The parties previously filed a Joint Motion to Amend the Scheduling and Planning Order. Dkt. No. 268. Defendants respectfully ask that the Court grant the parties’ Joint Motion, subject to any modifications that may be discussed on the status call scheduled for October 28, to allow remaining discovery to proceed while the parties attempt mediation. Plaintiff does not object to discovery proceeding during the pendency of mediation.

Dated: October 27, 2016

Respectfully submitted,

/s/ Mark F. Murphy
Thomas Amodio, Bar No. 8511142
REEVES AMODIO LLC
500 L Street, Suite 300
Anchorage, AK 99501
Telephone: (907) 222-7100
Facsimile: (907) 222-7199
tom@reevesamodio.com

Roger W. Yoerges (*pro hac vice*)
Patricia B. Palacios (*pro hac vice*)
Mark F. Murphy (*pro hac vice*)
STEPTOE & JOHNSON LLP
1330 Connecticut Avenue, NW
Washington, DC 20036-1795

Telephone: (202) 429-3000

Facsimile: (202) 429-3902

ryoerges@steptoe.com

ppalacios@steptoe.com

mmurphy@steptoe.com

Anthony A. Onorato (*pro hac vice*)

FISHER BROYLES LLP

445 Park Avenue, Ninth Floor

New York, NY 10022

Telephone: (202) 459-3599

Facsimile: (516) 706-9877

tony.onorato@fisherbroyles.com

Attorneys for Plaintiff Pebble Limited Partnership

CERTIFICATE OF SERVICE

I certify that on this 27th day of October, 2016, I electronically filed a copy of the foregoing **NOTICE IN ADVANCE OF STATUS CONFERENCE** using the CM/ECF system, which will electronically serve counsel for Defendants **RICHARD L. POMEROY, STUART J. ROBINSON, BRAD P. ROSENBERG, ALICE SHIH LACOUR, ADAM D. KIRSCHNER, and ROBIN F. THURSTON.**

/s/ Mark F. Murphy
Mark F. Murphy